S.B.Cr.Misc. Bail Appli. No.4874/2007

(Devi Lal vs. State of Rajasthan)

Date of order : October 03, 2007

HON'BLE MR.H.R.PANWAR,J.

Mr.Umesh Shrimali, for the petitioner.
Mr.Vishal Raj Mehta, P.P. for the State.

Heard learned counsel for the petitioner and the Public Prosecutor for the State. Perused the order impugned.

The allegation against the present petitioner is for the offence punishable under the NDPS Act.

From perusal of the order impugned, it appears that a challan has already been filed against co-accused Khiyan Ram under section 8/18 of the NDPS Act. However, the investigation against the petitioner has been kept pending under section 173 (8) Cr.P.C. From perusal of the order impugned, it cannot be said at this stage that the petitioner is not involved in commission of the offence punishable under the provisions of NDPS Act and, therefore, in such matters, a custodial interrogation is necessary. In this view of the

matter, I do not find it a fit case to release the petitioner on anticipatory bail.

The bail application filed by the petitioner under section 438 Cr.P.C. is, therefore, dismissed.

(H.R.PANWAR),J.

m.asif/-